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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 BRYAN WAYNE CRAWLEY,

10 Petitioner,

11 vs.

12 BRAD CAIN, et al.,

13 Respondents.
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Case No. 2:17-cv-02086-RFB-CWH

ORDER

15 Before the court are the petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, the
16 application to proceed in forma pauperis (ECF No. 2), and the motion for appointment of counsel (ECF
17 No. 3). Petitioner is unable to afford counsel, and the issues presented warrant the appointment of
18 counsel. See 18 U.S.C. § 3006A(a)(2)(B).

19 **IT IS THEREFORE ORDERED** that the application to proceed in forma pauperis (ECF No.
20 2) is **DENIED AS MOOT**, as petitioner appears to attach a receipt of the paid filing fee..

21 **IT IS FURTHER ORDERED** that petitioner's motion for appointment of counsel (ECF No.
22 3) is **GRANTED**. The Federal Public Defender is provisionally appointed to represent petitioner.

23 **IT IS FURTHER ORDERED** that the Federal Public Defender shall have **thirty (30) days**
24 from the date that this order is entered to undertake direct representation of petitioner or to indicate to
25 the court his inability to represent petitioner in these proceedings. If the Federal Public Defender does
26 undertake representation of petitioner, he shall then have **sixty (60) days** to file an amended petition
27 for a writ of habeas corpus. If the Federal Public Defender is unable to represent petitioner, then the
28 court shall appoint alternate counsel.

1 **IT IS FURTHER ORDERED** that neither the foregoing deadline nor any extension thereof
2 signifies or will signify any implied finding of a basis for tolling during the time period established.
3 Petitioner at all times remains responsible for calculating the running of the federal limitation period
4 under 28 U.S.C. § 2244(d)(1) and timely asserting claims.

5 **IT IS FURTHER ORDERED** that the clerk shall add Adam Paul Laxalt, Attorney General for
6 the State of Nevada, as counsel for respondents.

7 **IT IS FURTHER ORDERED** that the clerk shall electronically serve both the Attorney
8 General of the State of Nevada and the Federal Public Defender a copy of the petition and a copy of this
9 order.

10 **IT IS FURTHER ORDERED** that respondents' counsel shall enter a notice of appearance
11 within twenty (20) days of entry of this order, but no further response shall be required from
12 respondents until further order of the court.

13 **IT IS FURTHER ORDERED** that the hard copy of any electronically filed exhibits shall be
14 forwarded—for this case—to the staff attorneys in Las Vegas.

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16 DATED: October 23, 2017



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RICHARD F. BOULWARE, II
United States District Judge